



# STATE OF WISCONSIN Assembly Journal

Ninety–Second Regular Session

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WEDNESDAY, November 1, 1995

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The Chief Clerk makes the following entries under the above date:

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## AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 194** offered by committee on Highways and Transportation.

Assembly amendment 2 to **Assembly Bill 194** offered by committee on Highways and Transportation.

Assembly substitute amendment 1 to **Assembly Bill 290** offered by committee on Environment and Utilities.

Assembly substitute amendment 1 to **Assembly Bill 347** offered by committee on Education.

Assembly substitute amendment 1 to **Assembly Bill 389** offered by committee on Consumer Affairs.

Assembly amendment 1 to **Assembly Bill 519** offered by Representative Porter.

Assembly substitute amendment 1 to **Assembly Bill 552** offered by committee on Environment and Utilities.

Assembly substitute amendment 1 to **Assembly Bill 612** offered by committee on Consumer Affairs.

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## ADMINISTRATIVE RULES

### **Assembly Clearinghouse Rule 95–4**

Relating to the requirements for continuing chiropractic education for chiropractors and specifying criteria for approval of programs for continuing education credit.

Submitted by Department of Regulation and Licensing.

Report received from Agency on October 27, 1995.

To committee on Health.

Referred on November 1, 1995.

### **Assembly Clearinghouse Rule 95–49**

Relating to requirements for patient medical records.

Submitted by Department of Regulation and Licensing.

Report received from Agency, October 26, 1995.

To committee on Health.

Referred on November 1, 1995.

## INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

### **Assembly Joint Resolution 62**

Relating to: memorializing Congress to modify restrictions on the use of veterans mortgage bonds.

By Representatives Musser, Kaufert, Porter, Grothman, Murat, Boyle, Owens, Ainsworth, Otte, Gunderson, Dobyms, Brandemuehl, Baldus, Plombon, Coleman, Goetsch, Plache, Hahn, Olsen, Ryba, Nass and Zukowski; cosponsored by Senators Fitzgerald, Zien, Buettner, Rude, Drzewiecki, Moen, Breske and Clausing, by request of Council on Veterans Programs.

To committee on Veterans and Military Affairs.

### **Assembly Joint Resolution 63**

Relating to: congratulating the University of Wisconsin–Madison for its excellent doctoral programs.

By Representatives Prosser, Hanson, Porter, Ryba, R. Potter, Lorge, R. Young, Grobschmidt, Otte, Baldwin, Dobyms, L. Young, Green, Wirsch, Goetsch, Hutchison, Ott, Plache, Zukowski, Baldus, Albers, Hahn, Silbaugh, Turner, Kreibich, Black, Klusman, Urban, Seratti, Ladwig, Walker, Huber, Olsen, Kreuser, Travis, Schneiders, Grothman, Ainsworth, Kelso, Gunderson, Boyle and Underheim; cosponsored by Senators Rude, Buettner, Burke, Zien, Moen, Darling, Fitzgerald, Panzer, Schultz, Weeden, Huelsman and C. Potter.

To committee on Rules.

### **Assembly Bill 652**

Relating to: requirements for contracts under which one party possesses livestock owned by another party.

By Representatives Brandemuehl, Ott, Ward, Freese, Gunderson, Goetsch, Musser and Olsen; cosponsored by Senator Schultz.

To committee on Agriculture.

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## COMMITTEE REPORTS

The committee on *Consumer Affairs* reports and recommends:

### **Assembly Bill 389**

Relating to: the regulation of the practice of psychology and granting rule–making authority.

Assembly substitute amendment 1 adoption:

Ayes: 8 – Representatives Skindrud, Johnsrud, Kreibich, Coleman, Urban, Williams, La Fave and Hasenohrl.  
Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Skindrud, Johnsrud, Kreibich, Coleman, Urban, Williams, La Fave and Hasenohrl.  
Noes: 0.

To Joint Committee on Finance.

**Assembly Bill 612**

Relating to: regulation of performing rights societies.

Assembly substitute amendment 1 adoption:

Ayes: 8 – Representatives Skindrud, Johnsrud, Kreibich, Coleman, Urban, Williams, La Fave and Hasenohrl.  
Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Skindrud, Johnsrud, Kreibich, Coleman, Urban, Williams, La Fave and Hasenohrl.  
Noes: 0.

To Joint Committee on Finance.

*RICK SKINDRUD*  
Chairperson  
Committee on Consumer Affairs

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The committee on *Education* reports and recommends:

**Assembly Bill 347**

Relating to: establishing interdistrict school choice and interdistrict and intradistrict enrollment options programs.

Assembly substitute amendment 1 adoption:

Ayes: 16 – Representatives Coleman, Nass, Brandemuehl, Duff, Otte, Ward, Ainsworth, Lehman, Olsen, Grobschmidt, Schneider, Cullen, Ziegelbauer, Baldwin, Plombon and Dueholm.  
Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Coleman, Nass, Duff, Otte, Lehman, Olsen, Grobschmidt, Schneider, Ziegelbauer, Plombon and Dueholm.  
Noes: 5 – Representatives Brandemuehl, Ward, Ainsworth, Cullen and Baldwin.

To Joint Committee on Finance.

*CHARLES COLEMAN*  
Chairperson  
Committee on Education

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The committee on *Environment and Utilities* reports and recommends:

**Assembly Bill 290**

Relating to: responsibility for unpaid utility bills and municipal utility collection practices.

Assembly substitute amendment 1 adoption:

Ayes: 11 – Representatives Duff, Klusman, Ott, Jensen, Powers, Hoven, Bock, R. Young, Robson and Hanson.  
Noes: 1 – Representative Albers.

Passage as amended:

Ayes: 10 – Representatives Duff, Klusman, Ott, Jensen, Powers, Hoven, Bock, R. Young, Robson and Hanson.  
Noes: 1 – Representative Albers.

To Joint Committee on Finance.

**Assembly Bill 552**

Relating to: granting civil immunity for responses to an oil discharge.

Assembly substitute amendment 1 adoption:

Ayes: 11 – Representatives Duff, Klusman, Ott, Albers, Jensen, Powers, Hoven, Bock, R. Young, Robson and Hanson.  
Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Duff, Klusman, Ott, Albers, Jensen, Powers, Hoven, Bock, R. Young, Robson and Hanson.  
Noes: 0.

To Joint Committee on Finance.

**Senate Bill 332**

Relating to: the midwest interstate low-level radioactive waste compact.

Concurrence:

Ayes: 11 – Representatives Duff, Klusman, Ott, Albers, Jensen, Powers, Hoven, Bock, R. Young, Robson and Hanson.  
Noes: 0.

To committee on Rules.

*MARC DUFF*  
Chairperson  
Committee on Environment and Utilities

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The *Joint Committee on Finance* reports and recommends:

**Assembly Bill 419**

Relating to: the regulation of interior designers, creating a registered interior designers section in the examining board of architects, landscape architects, professional geologists, professional engineers, designers and land surveyors, granting rule-making authority and providing a penalty.

Assembly substitute amendment 1 adoption:

Ayes: 15 – Representatives Brancel, Foti, Porter, Schneiders, Ourada, Linton, Coggs, Weeden, Schultz, Cowles, Panzer, Petak, Rosenzweig, George and Decker.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Foti, Porter, Schneiders, Ourada, Coggs, Weeden, Schultz, Cowles, Panzer, Petak, Rosenzweig, George and Decker.

Noes: 2 – Representatives Brancel and Linton.

To committee on Rules.

**Assembly Bill 606**

Relating to: a grant for training employes of a food processing plant that has closed and making an appropriation.

Passage:

Ayes: 14 – Representatives Brancel, Foti, Porter, Schneiders, Linton, Coggs, Weeden, Schultz, Cowles, Panzer, Petak, Rosenzweig, George and Decker.

Noes: 1 – Representative Ourada.

To committee on Rules.

**Assembly Bill 607**

Relating to: various changes to the worker's compensation law, granting rule-making authority and making appropriations.

Assembly amendment 1 adoption:

Ayes: 15 – Representatives Brancel, Foti, Porter, Schneiders, Ourada, Linton, Coggs, Weeden, Schultz, Cowles, Panzer, Petak, Rosenzweig, George and Decker.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Brancel, Foti, Porter, Schneiders, Ourada, Linton, Coggs, Weeden, Schultz, Cowles, Panzer, Petak, Rosenzweig, George and Decker.

Noes: 0.

To committee on Rules.

**Assembly Bill 639**

Relating to: approval for expenditure of certain federal block grant moneys by the joint committee on finance.

Passage:

Ayes: 15 – Representatives Brancel, Foti, Porter, Schneiders, Ourada, Linton, Coggs, Weeden, Schultz, Cowles, Panzer, Petak, Rosenzweig, George and Decker.

Noes: 0.

To committee on Rules.

*BEN BRANCEL*  
Assembly Chairperson  
Joint Committee on Finance

The committee on *Health* reports and recommends:

**Assembly Bill 280**

Relating to: persons who may claim to render physical therapy or physiotherapy services.

Assembly substitute amendment 1 adoption:

Ayes: 18 – Representatives Underheim, Urban, Johnsrud, Freese, Walker, Lazich, Zukowski, Jensen, F. Lasee, Handrick, Robson, Carpenter, Bock, Huber, Springer, Wirch, Meyer and Wasserman.

Noes: 0.

Passage as amended:

Ayes: 18 – Representatives Underheim, Urban, Johnsrud, Freese, Walker, Lazich, Zukowski, Jensen, F. Lasee, Handrick, Robson, Carpenter, Bock, Huber, Springer, Wirch, Meyer and Wasserman.

Noes: 0.

To committee on Rules.

**Assembly Bill 477**

Relating to: changing requirements for approval of certain applications for participation in the volunteer health care provider program.

Assembly substitute amendment 1 adoption:

Ayes: 18 – Representatives Underheim, Urban, Johnsrud, Freese, Walker, Lazich, Zukowski, Jensen, F. Lasee, Handrick, Robson, Carpenter, Bock, Huber, Springer, Wirch, Meyer and Wasserman.

Noes: 0.

Passage as amended:

Ayes: 18 – Representatives Underheim, Urban, Johnsrud, Freese, Walker, Lazich, Zukowski, Jensen, F. Lasee, Handrick, Robson, Carpenter, Bock, Huber, Springer, Wirch, Meyer and Wasserman.

Noes: 0.

To committee on Rules.

*GREGG UNDERHEIM*  
Chairperson  
Committee on Health

The committee on *Highways and Transportation* reports and recommends:

**Assembly Bill 194**

Relating to: the information contained on operator's licenses and identification cards.

Assembly amendment 1 adoption:

Ayes: 14 – Representatives Brandemuehl, Otte, Silbaugh, Hahn, Lorge, Zukowski, Musser, Lehman, Hasenohrl, Baumgart, L. Young, Ryba, Riley and Kreuser.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Brandemuehl, Otte, Silbaugh, Hahn, Zukowski, Musser, Lehman, Hasenohrl, Baumgart, L. Young, Ryba, Riley and Kreuser.

Noes: 1 – Representative Lorge.

To Joint Committee on Finance.

*DAVID BRANDEMUEHL*  
Chairperson  
Committee on Health

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**COMMUNICATIONS**

State of Wisconsin  
Revisor of Statutes Bureau  
Madison

November 1, 1995

Charles R. Sanders  
Assembly Chief Clerk

Donna Doyle  
Assistant Senate Chief Clerk

The following rules have been published:

Clearinghouse Rule 94-71	effective	11-15-95
Clearinghouse Rule 94-110	effective	11-1-95
Clearinghouse Rule 95-37	effective	11-1-95
Clearinghouse Rule 95-40	effective	11-1-95
Clearinghouse Rule 95-44	effective	11-1-95
Clearinghouse Rule 95-52	effective	11-1-95
Clearinghouse Rule 95-68	effective	11-1-95
Clearinghouse Rule 95-83	effective	11-1-95
Clearinghouse Rule 95-89	effective	11-1-95
Clearinghouse Rule 95-92	effective	11-1-95
Clearinghouse Rule 95-96	effective	11-1-95
Clearinghouse Rule 95-99	effective	11-1-95

Sincerely,  
*GARY L. POULSON*  
Deputy Revisor

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**COMMUNICATIONS**

State of Wisconsin  
Legislative Audit Bureau  
Madison

October 25, 1995

To the Honorable the Legislature:

We have completed a review of the State's use of outside legal counsel and services. Agencies engage private attorneys when the Office of the Attorney General is unable to provide representation and for other purposes, such as consultation, legal advice, and teaching. In fiscal year 1994-95, the State spent an estimated \$3.18 million on outside legal counsel and services.

Oversight of the use of private attorneys, as any other contracted service, is essential to ensure that that the contracts are necessary and appropriate and that costs are monitored. Overall, it appears that most agencies have attempted to use private attorneys appropriately, and some costs and contracts are currently monitored by the Office of the Governor and the Department of Justice. However, nearly two-thirds of expenditures are paid directly from agency budgets, and there is significant variation among agencies in interpreting the statutes and procedures that govern the use of private attorneys and the reasons for which they should be engaged.

Based on our review of efforts in the private sector and other states, we have identified a number of steps the State can take to improve the consistency and quality of oversight to prevent potential problems. First, the Governor's office should provide more specific definitions and guidance to executive branch agencies on when and how private attorneys should be engaged. In addition, cost reporting for contracts should be improved. Finally, guidelines for developing standard contracts that stipulate allowable costs, rates, billing formats, and case monitoring should be developed.

We appreciate the courtesy and cooperation extended to us by staff at the Office of the Governor, the Department of Justice, and other agencies that we contacted during the course of the audit. Responses from the Office of the Governor and the Department of Justice are appendices III and IV.

Respectfully submitted,  
*DALE CATTANACH*  
State Auditor